

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

EXERGEN CORPORATION

Plaintiff(s)

v.

CIVIL ACTION NO. **01-11306-RCL and**
02-10436-RCL

CVS CORPORATION, ET AL

Defendant(s)

JUDGMENT IN A CIVIL CASE

LINDSAY, D.J.



Jury Verdict. This action came before the court for a trial by jury. The issues have been tried and the jury has rendered its verdict.



Decision by the Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

Judgment for the plaintiff Exergen Corporation in the amount of \$1,563,438.00 against the defendant SAAT Systems of Advanced Applications Ltd., with interest thereon at the rate provided by law and its costs of the action.

Judgment for the plaintiff Exergen Corporation in the amount of \$704,414.00 against the defendant Daiwa Products, Inc., with interest thereon at the rate provided by law and its costs of the action.

Judgment for the plaintiff Exergen Corporation in the amount of \$254,526.00 against the defendant CVS Corporation, with interest thereon at the rate provided by law and its costs of the action.

Judgment for the defendants SAAT Systems of Advanced Applications Ltd., Daiwa Products, Inc. and CVS Corporation that they do not infringe Claim 2 of U.S. Patent No. 6,047,205.

Judgment for the plaintiff Exergen Corporation as to the defendants' counterclaim for invalidity as to all claim of U.S. Patents No. 5,012,813, No. 6,047,205 and No. 6,292,685.

Judgment for the plaintiff Exergen Corporation as to the defendants' counterclaim for a declaration as to noninfringement on all claims, except Claim 2, of the U.S. Patents No. 5,012,813, No. 6,047,205 and No. 6,292,685.

Sarah A. Thornton, Clerk

Dated: August 4, 2005

/s/ Lisa M. Hourihan
(By) Deputy Clerk

NOTE: The post judgment interest rate effective this date is 3.68%.

(judgciv.frm - 10/96)

[jgm.]